

**AN ORDINANCE**

**BY THE COMMITTEE ON COUNCIL**

**00-0 -1612**

**AN ORDINANCE CLARIFYING THE INTENT OF THE ATLANTA CITY COUNCIL WITH RESPECT TO ORDINANCE 98-O-1659 REZONING PROPERTY FROM THE R-4B DESIGNATION TO THE C-3-C DESIGNATION SUCH THAT CERTAIN PARCELS OF LAND LOCATED AT 699 - 709 FRASER STREET, THE FRONT OF PARCELS AT 711 - 731 FRASER STREET, AND PARCELS AT 735 - 737 FRASER STREET ARE CORRECTLY DESIGNATED ON THE OFFICIAL ZONING MAPS OF THE CITY OF ATLANTA.**

**WHEREAS**, on April 5, 1999, the Atlanta City Council passed Ordinance 98-O-1659 which rezoned certain property located in Land Lot 54 of the 14<sup>th</sup> District of Fulton County Georgia from the R-4B designation to the C-3-C designation; and

**WHEREAS**, it has been determined that the text of Ordinance 98-O-1659 conflicted with the site plan and conditions attached to said ordinance such that the effect of the rezoning of certain of parcels fronting on Fraser Street is not entirely clear; and

**WHEREAS**, in its consideration of Ordinance 98-O-1659, the Council relied on the site plan and the conditions contained in the ordinance as to the effect of the rezoning the parcels fronting on Fraser Street; and

**WHEREAS**, it is in the public interest to clarify the exact intention of the Council with respect to the rezoning ordinance;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA HEREBY ORDAINS:**

**SECTION ONE:** That it was the intent of the City Council in passing Ordinance 98-O-1659 that the parcels of land which are located at 699 - 709 Fraser Street, the front portion of the parcels of land which are located at 711 - 731 Fraser Street, and the parcels of land which are located at 735-737 Fraser Street remained zoned R-4B as are presently shown on the map attached to the instant ordinance.

**SECTION TWO:** That it was the intent of the City Council in passing Ordinance 98-O-1659 that the parcels of land which are located at 32 Love Street (now Bill Lucas Drive), 25 - 31 Bass Street and the rear portion of the parcels of land which are located at 711 - 731 Fraser Street be rezoned from the R-4B zoning designation to the C-3-C zoning designation as are presently shown on the map attached to the instant ordinance.

**SECTION THREE:** That it was the intent of the City Council in passing Ordinance 98-O-1659 that the amendment of the Zoning Ordinance of the City of Atlanta was approved under the provisions of Section 16-02.003 of the Zoning Ordinance entitled "Conditional Development" as identified by the use of the suffix "C" after the district

designation in Section One of said ordinance and as clarified in the instant ordinance. The conditions which were imposed in Section Two of Ordinance 98-O-1659 for the issuance of permits for the development of property rezoned by said ordinance and clarified by the instant ordinance shall remain in full force and effect.

**SECTION FOUR:** That the maps established in connection with the Zoning Ordinance of the City of Atlanta be changed to conform to the terms of this corrective ordinance to the extent necessary.

**SECTION FIVE:** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

AV.

DR

HANK AARON

GEORGIA

GLENN

C-3-C

R-4B

LITTLE

SOUTH

